

Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P22119
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/070,435	
INTERNATIONAL APPLICATION NO. PCT/JP00/06399	INTERNATIONAL FILING DATE 20 September 2000	PRIORITY DATE CLAIMED 20 September 1999	
TITLE OF INVENTION METHOD FOR PRODUCING CYCLIC LACTIC ACID OLIGOMER			
APPLICANT(S) FOR DO/EO/US Mikio WATANABE, Jiro TAKANO, Yoshimi ISHIHARA and Masahiro MURAKAMI			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.			
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). "EXECUTED"</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 16 below concern other document(s) or information included:</b></p> <p>11. Assignee: <u>AMATO PHARMACEUTICAL PRODUCTS, LTD., of Kyoto, JAPAN</u></p> <p>12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>14. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> Figure of Drawing to be published <u>1</u></p> <p>18. <input checked="" type="checkbox"/> Other items or information: Cover Letter. Copy form PCT/DO/EO/905 (Notification of Missing Requirements).</p>			

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) 10/070,435		INTERNATIONAL APPLICATION NO. PCT/JP00/06399		ATTORNEY'S DOCKET NUMBER P22119	
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19. <input checked="" type="checkbox"/> The following fees are submitted:  <div style="margin-left: 20px;">           Basic National Fee (37 CFR 1.492(a)(1)-(5)):            Search report has been prepared by the EPO or JPO. . . . . \$ 890.00            International preliminary examination fee paid to USPTO (37 CFR 1.482). . . . . \$ 710.00            No international preliminary examination fee paid to USPTO (37 CFR 1.482) but            international search fee paid to USPTO(37 CFR 1.445(a)(2)). . . . . \$ 740.00            Neither international preliminary examination fee (37 CFR 1.482) nor            international search fee (37 CFR 1.445(a)(2) paid to USPTO. . . . . \$1,040.00            International preliminary examination fee paid to USPTO (37 CFR 1.482) and all            claims satisfied provisions of PCT Article 33(2)-(4). . . . . \$ 100.00   <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> </div>				CALCULATIONS		PTO USE ONLY	

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>  </u> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00			
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Claims	Number Filed	Number Extra	RATE			
Total Claims	9 - 20 =	0	X \$18.00	\$ 0.00		
Independent Claims	1 - 3 =	0	X \$84.00	\$ 0.00		
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$ 0.00		
TOTAL OF ABOVE CALCULATIONS =				\$130.00		
<u>  </u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00		
SUBTOTAL =				\$130.00		
Processing fee of \$130.00 for furnishing the English translation later than <u>  </u> 20 <u>  </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$ 0.00	
Extension of Time fee in the amount of \$					\$ 0.00	
TOTAL NATIONAL FEE =				\$130.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 0.00	
TOTAL FEES ENCLOSED =				\$130.00		

06/27/2002 HKAYPAGH 00000116 10070435	Amount to be refunded	\$
01 FC:154 130.00 DP	Charged	\$

a. ☒ A check in the amount of \$130.00 to cover the above fees is enclosed.

b.    Please charge my Deposit Account No.    in the amount of \$    to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055  
AT THE PRESENT ADDRESS OF:

Bruce H. Bernstein  
 GREENBLUM & BERNSTEIN, P.L.C.  
 1941 Roland Clarke Place  
 Reston, VA 20191  
 (703) 716-1191

SIGNATURE  
 Bruce H. Bernstein  
 NAME  
 29.027 Reg No. 36,076  
 REGISTRATION NUMBER

P22119.P07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mikio WATANABE et al.

Serial No : 10/070,435  
(National Stage of PCT/JP00/06399)

I.A. Filed : September 20, 2000

For : METHOD FOR PRODUCING CYCLIC LACTIC ACID OLIGOMER

**COVER LETTER**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

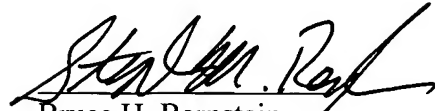
In order to comply with the requirements (copy enclosed) for the submission of an executed declaration of the International Application set forth in the Notification mailed May 29, 2002 which sets a two month period of response until July 29, 2002, Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney;
- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below listed number.

Respectfully submitted,  
Mikio WATANABE et al.

  
Bruce H. Bernstein  
Reg. No. 29,027  
*Reg. No. 31,296*

June 25, 2002  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke  
Reston, VA 20191  
(703) 716-1191



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,435	Mikio Watanabe	P22119

INTERNATIONAL APPLICATION NO.
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PCT/JP00/06399

I.A. FILING DATE	PRIORITY DATE
09/20/2000	09/20/1999

 7055  
 GREENBLUM & BERNSTEIN, P.L.C.  
 1941 ROLAND CLARKE PLACE  
 RESTON, VA 20191

CONFIRMATION NO. 9212

371 FORMALITIES LETTER



\*OC000000008180118\*

Date Mailed: 05/29/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

**RECEIVED**

JUN 04 2002

GREENBLUM &amp; BERNSTEIN PLC

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,435	PCT/JP00/06399	P22119